



Dated: November 17, 2023
The following is ORDERED:



M. Ruthie Hagan
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

In re)	
)	
HOLIDAY HAM HOLDINGS, LLC,)	Case No. 23-23313
)	Chapter 11
Debtor.)	
)	

**STIPULATION AND AGREED ORDER REJECTING AND TERMINATING LEASE
WITH ERINWAY PARTNERS, L.P.**

THIS MATTER came before this Court upon the stipulation and agreement among Holiday Ham Holdings, LLC, as Debtor-in-Possession (“Debtor”) and ErinWay Partners, L.P. (“Landlord”), owner and pre-petition lessor of certain non-residential real property occupied by affiliated Debtor Holiday Erin, LLC (“Erin”), located at 585 Erin Drive, Memphis, Tennessee 38119 (together with any tenancy and occupancy right, the “Lease”). The parties hereto agree that time is of the essence to permit Landlord to retain possession of the Lease premises. The Court, being advised in the premises, finds that approval of the agreement among the parties hereto as set

forth below is warranted, is in the best interest of the Debtor's bankruptcy estate, and should be approved.

IT IS THEREFORE ORDERED that the terms and conditions of the stipulation and agreement set forth below are approved and given full force and effect hereby.

IT IS FURTHER ORDERED that the Lease shall be deemed rejected as of November 1, 2023 pursuant to 11 U.S.C. § 365(a).

IT IS FURTHER ORDERED that, in accordance with the agreement by and between Landlord and Debtor, the Lease is terminated as of the date of the entry of this Order. Erin and/or Debtor agrees to immediately surrender possession of the Lease premises to Landlord the business day following the entry of this order. All issues as to personal property are reserved.

IT IS FURTHER ORDERED that, to the extent necessary to permit Landlord to retain possession of the Lease premises and remove Erin from the same, the automatic stay of 11 U.S.C. § 362 is hereby modified to allow Landlord to take any and all actions to obtain possession of the Lease premises.

IT IS SO ORDERED.

Approved and Submitted for Entry:

/s/ Toni Campbell Parker (w/ permission by LHW 33360)
Toni Campbell Parker (TN #6984)
45 North Third Ave., Ste. 201
Memphis, TN 38103
Telephone: 901-483-1020

Attorney for Debtor Holiday Ham Holdings, LLC

/s/ Locke Houston Waldrop
Locke Houston Waldrop (TN #33360)
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC
165 Madison Avenue, Suite 2000

Memphis, Tennessee 38103
Telephone: 901.526.2000
Facsimile: 901.577.4268
Email: lwaldrop@bakerdonelson.com

Attorney for ErinWay Partners, L.P.

/s/ Craig M. Geno (w/ permission by LHW 33360)

Craig M. Geno
Law Offices of Craig M. Geno, PLLC
587 Highland Colony Parkway
Ridgeland, Mississippi 39157
cmgeno@cmgenolaw.com

Chapter 5 Trustee

With Service To:
Debtor
Attorney for US Trustee
Subchapter V Trustee
Secured Creditors of Debtor
Twenty Largest Unsecured Creditors
All Creditors and Parties requesting Notice and on the Mailing Matrix